

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

THERESA INCOPERO,

Plaintiff,

v.

BRENDA KESNER,

Defendant.

2:10-cv-00341-GMN-LRL

REPORT & RECOMMENDATION

Plaintiff submitted an Application to Proceed *In Forma Pauperis* and a Complaint pursuant to 42 U.S.C. § 1983 (#1) on March 12, 2010. Upon granting her request to proceed *in forma pauperis*, this court screened her Complaint pursuant to 28 U.S.C. § 1915(a), finding that “plaintiff sets forth no causes of action in the Complaint and therefore asserts no civil rights violations.” Instead plaintiff explained only that she would like to have 100% of an IBEW annuity rolled into her retirement account. This court, therefore, dismissed the Complaint on June 3, 2010, and instructed plaintiff to amend her Complaint to cure the deficiencies listed by the court. Order (#3). *See Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1985). Plaintiff was warned that failure to adequately amend the Complaint by July 2, 2010, may result in dismissal. To date, plaintiff has not filed an amended complaint or any other paper.

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RECOMMENDATION

Based on the foregoing, it is the recommendation of the undersigned United States Magistrate Judge that this case be dismissed with prejudice.

DATED this 22nd day of October, 2010.



LAWRENCE R. LEAVITT
UNITED STATES MAGISTRATE JUDGE